

THE CORPORATION
OF THE
MUNICIPALITY OF ARRAN-ELDERSLIE
BY-LAW NO. 40 - 08

BEING A BY-LAW TO AMEND THE MUNICIPAL CODE (REGULATE USE OF SEWER & WATER WORKS)

WHEREAS it is deemed advisable to amend the Municipal Code;

NOW THEREFORE The Corporation of the Municipality of Arran-Elderslie hereby enacts as follows:

1. That Schedule D Environmental Services: SEWER & WATER: REGULATE USE OF SEWER & WATER WORKS, be added as follows:

"SCHEDULE D ENVIRONMENTAL SERVICES
SEWER & WATER: REGULATE USE OF SEWER & WATER WORKS

BEING A BY-LAW TO REGULATE THE USE OF THE SEWER & WATER WORKS

WHEREAS the *Municipal Act, S.O. 2001, C.25*, as amended, provides that:

"Broad authority, lower-tier and upper-tier municipalities

11. (1) A lower-tier municipality and an upper-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public, subject to the rules set out in subsection (4).

By-laws

(2) A lower-tier municipality and an upper-tier municipality may pass by-laws, subject to the rules set out in subsection (4), respecting the following matters:...

4. Public assets of the municipality acquired for the purpose of exercising its authority under this or any other Act...
5. Economic, social and environmental well-being of the municipality.
6. Health, safety and well-being of persons...

By-laws re: matters within spheres of jurisdiction

(3) A lower-tier municipality and an upper-tier municipality may pass by-laws, subject to the rules set out in subsection (4), respecting matters within the following spheres of jurisdiction:...

4. Public utilities.

Interpretation

1. (1) In this Act,

"public utility" means,

- (a) a system that is used to provide any of the following services or things for the public:
 - (i) water,
 - (ii) sewage,....and
- (b) the service or thing that is provided;

"sewage" includes,

- (a) storm water and other drainage from land, and
- (b) commercial wastes and industrial wastes that are disposed of in a sewage system;

"system" means one or more programs or facilities (including real and personal property) of a person used to provide services and things to the person or to any other person and includes administration related to the programs, facilities, services and things;

Entry on land

78. (1) For the purposes of providing a water public utility, a municipality may, at any reasonable time, subject to section 19 and despite section 27, enter on highways in or outside of the municipality to install, construct and maintain pipes and other works for the distribution of water without the consent of the body which owns the highway.

Entry on highways

(2) For the purposes of providing a public utility, other than a water public utility, a municipality may, at any reasonable time, despite section 27, enter on highways in the municipality to install, construct and maintain pipes, wires, poles, equipment, machinery and other works without the consent of the body which owns the highway.

Powers not restricted

(3) Nothing in this section prevents a body that owns a highway from regulating the activities described in subsections (1) and (2) on its highway in a reasonable manner, including regulating with respect to notice, timing and co-ordination of the activities and the requirement to obtain a permit before engaging in the activities.

Entry into buildings, etc.

79. (1) If a municipality has the consent of an owner or occupant to connect a public utility to a part of a building and other parts of the building belong to different owners or are in the possession of different occupants, the municipality may, at reasonable times, without consent, enter on their land and install, construct and maintain pipes, wires, equipment, machinery and other works necessary to make the connection.

Entry on common passages

(2) If a municipality has the consent of an owner or occupant to connect a public utility to land and the owner or occupant shares a mutual driveway or other common passage with the owners or occupants of neighbouring land, the municipality may, at reasonable times, without consent, enter the common passage and install, construct and maintain pipes, wires, equipment, machinery and other works necessary to make the connection.

Entry on land served by public utility

80. (1) A municipality may, at reasonable times, enter on land to which it supplies a public utility,

- (a) to inspect, repair, alter or disconnect the service pipe or wire, machinery, equipment and other works used to supply the public utility; or
- (b) to inspect, install, repair, replace or alter a public utility meter.

Reduced supply

(2) For the purposes of subsection (1), a municipality may shut off or reduce the supply of the public utility to the land.

Entry on land, discontinuance of utility

(3) If a customer discontinues the use of a public utility on land or a municipality lawfully decides to cease supplying the public utility to land, the municipality may enter on the land,

- (a) to shut off the supply of the public utility;
- (b) to remove any property of the municipality; or
- (c) to determine whether the public utility has been or is being unlawfully used.

Shut off of public utility

81. (1) Without limiting sections 9, 10 and 11, a municipality may shut off the supply of a public utility by the municipality to land if fees or charges payable by the owners or occupants of the land for the supply of the public utility to the land are overdue.

Additional power

(2) In addition to the power under subsection (1), and without limiting sections 9, 10 and 11, a municipality may shut off the supply of water to land if fees or charges payable by the owners or occupants of the land in respect of a sewage system are overdue and the fees or charges are based on the fees payable for the supply of water to the land

Notice

(3) Despite subsections (1) and (2), a municipality shall provide reasonable notice of the proposed shut-off to the owners and occupants of the land by personal service or prepaid mail or by posting the notice on the land in a conspicuous place.

Recovery of fees

(4) A municipality may recover all fees and charges payable despite shutting off the supply of the public utility.

No liability for damages

82. (1) A municipality is not liable for damages caused by the interruption or reduction of the amount of a public utility supplied to a municipality or to the land of any person as a result of an emergency or a breakdown, repair or extension of its public utility if, in the circumstances, reasonable notice of its intention to interrupt or reduce the supply is given.

Allocation

(2) If the supply of a public utility to a municipality is interrupted or reduced, the municipality may allocate the available public utility among its customers.

Effect

(3) Nothing done under subsection (2) shall be deemed to be a breach of contract, to entitle any person to rescind a contract or to release a guarantor from the performance of the guarantor's obligation.

Security

83. Without limiting sections 9, 10 and 11, a municipality may, as a condition of supplying or continuing to supply a public utility, require reasonable security be given for the payment of fees and charges for the supply of the public utility or for extending the public utility to land.

Exemption from seizure

85. Personal property of a municipality which is used for or in connection with the supply of a public utility to land is exempt from seizure,

- (a) against the owner or occupant of the land under the Execution Act; and
- (b) against a person with a leasehold interest in the land for overdue rent.

Mandatory supply

86. (1) Despite section 19, a municipality shall supply a building with a water or sewage public utility if,

- (a) the building lies along a supply line of the municipality for the public utility;
- (b) in the case of a water public utility, there is a sufficient supply of water for the building;
- (c) in the case of a sewage public utility, there is sufficient capacity for handling sewage from the building; and
- (d) the owner, occupant or other person in charge of the building requests the supply in writing.

Exception

(2) Subsection (1) does not apply if the supply of the public utility to a building or to the land on which the building is located would contravene an official plan under the Planning Act that applies to the building, land or public utility.

Entry on land re: sewage systems

87. A municipality may enter on land, at reasonable times, to inspect the discharge of any matter into the sewage system of the municipality or into any other sewage system the contents of which ultimately empty into the municipal sewage system and may conduct tests and take samples for this purpose.

Upper-tier entry on land

88. (1) An upper-tier municipality has, during and after the construction of a work of one of its lower-tier municipalities that is or is intended to be connected to an upper-tier work, the power to enter upon land, at reasonable times, to inspect the lower-tier work and to inspect and copy plans, records, specifications and other information related to the construction, operation and maintenance of the lower-tier work.

Definition

(2) In this section,

"work" means land, buildings, structures, plant, machinery, equipment, devices, conduits, intakes, outfalls or outlets and other works used or designed for the collection, treatment or disposition of sewage or the production, treatment, storage or distribution of water."

AND WHEREAS it is deemed advisable to provide for the use of the sanitary sewer works and the water works;

NOW THEREFORE, The Corporation of the Municipality of Arran-Elderslie hereby enacts as follows:

1. THAT PART I SHALL PROVIDE FOR THE USE OF THE SANITARY SEWER WORKS;

PART I - SEWERS

1. DEFINITIONS

1.1 That, in this by-law, the following definitions shall apply:

APPLICATION means the form available from the Municipality requesting approval to connect to the sewer works, containing the name of the owner of the property, the present state of construction (if a new or existing building), a plan in duplicate of the lot showing the point on the property line where the connection is to be made, the date for the proposed work to be done, the quantity of sewage to be discharged (if applicable) and the name of the contractor undertaking the work

AUXILIARY WATER SUPPLY means any water supply other than the Municipality's potable water, including but not limited to a private well, sand point or cistern

BACKFLOW VALVE means a backflow valve being a device, or a method that prevents sewage backflow into a building

BUILDING means all or any part of a building, or structure

CLEAN-OUT means a point of entry on a sewer lateral for maintenance purposes

FOREPERSON means the Foreperson of Sewer Works of the Municipality as appointed by the Municipality, or any operator so designated to act in his/her place, who shall work under the direction of, and report to the Works Manager

LATERAL SERVICE means the service pipe laid down from the sanitary sewer main to the interior face of the outer wall of a building and all of the physical and mechanical equipment and devices to fully and completely make a sewer service connection to a premise

MAY means permission is granted

MUNICIPALITY means The Corporation of the Municipality of Arran-Elderslie.

OPERATOR means an operator of the Sewer Works of the Municipality as appointed by the Municipality, who may act in the place of the Foreperson when so designated, by the Foreperson or the Works Manager, and who shall report to the Foreperson or the Works Manager, as the case may be

OWNER means the person as shown on the last returned assessment roll of the Municipality, and includes any tenant or occupant of the property

PERMIT means the Lateral service Connection Permit signed by the Foreperson authorizing an owner to install a lateral service

PERSON means and includes any owner, individual, firm, company, association, partnership, society, incorporated company, or group, and wherever the singular is used herein it shall also be construed as including the plural

PROPERTY LINE means the outer line of the highway

REASONABLE NOTICE means twenty-four (24) hours

SANITARY SEWAGE means a combination of the water-carried wastes from residences, commercial buildings, institutions and industrial establishments, excluding surface water and ground water drainage.

SANITARY SEWER means a main sanitary sewer pipe in a highway, for the collection and transmission of residential, commercial, institutional or industrial sanitary sewage and to which storm water drainage shall not be admitted

SEWAGE includes drainage, storm water, residential wastes, commercial wastes and industrial wastes

SEWAGE WORKS means any works for the collection, transmission, treatment and disposal of sewage or any part of such works, but does not include plumbing to which the *Building Code Act, 1992* applies

SHALL means mandatory and declares what is to take place

STORM SEWER means a main storm sewer pipe in a highway, for the collection and transmission of storm water drainage and to which sanitary sewage shall not be admitted

STORM WATER means rainwater runoff, water runoff from roof or foundation drainage, snowmelt and surface runoff, groundwater, or other subsurface drainage including any unpolluted cooling water or unpolluted industrial processed water

WORKS MANAGER means the person appointed by the Municipality who is in charge of the Works Department under which the Water and Sewer Works operates

2. RESPONSIBILITIES OF THE MUNICIPALITY

2.1 That, except as otherwise expressly provided in this by-law, the Municipality is responsible for:

POWER TO ADMINISTER SEWERS

a) the administration and enforcement of all the provisions of this by-law, and

b) the construction, maintenance, operation, improvement, and extension of the sewer works of the Municipality.

2.2 a) The Foreperson shall inspect the installation of all lateral services.

b) The Foreperson shall perform all connections of lateral services to sewer mains.

POWER TO ENTER

2.3 The Foreperson may, in the course of performing his/her duties enter, pass upon, through, over and under any property in the Municipality of Arran-Elderslie, in accordance with the Municipal Act.

2.4 Except in the case of an emergency, the Foreperson shall give reasonable notice before entering any property in the Municipality.

2.5 From its date of passage, the construction, installation, maintenance and operation of the sewer works shall comply with this by-law.

3. RESPONSIBILITIES OF OWNER

REQUIREMENT TO CONNECT

That,

3.1 Where a sanitary sewer main exists in a highway, or public utility corridor, the owner of any abutting property which contains a building and which, in the opinion of the Foreperson, may be supplied therefrom, shall connect to the said sanitary sewer main.

REQUIREMENT TO REMOVE

3.2 When a lateral service connection has been installed, any existing septic tanks, cesspools, and/or similar private sewage disposal facilities shall be cleaned, filled, removed or destroyed within a period of ten (10) days after the said connection.

LIMIT OF ONE PREMISE PER LATERAL

3.3 No lateral service shall service more than one premise without the prior written approval of the Foreperson.

PERMIT REQUIRED

3.4 No person shall make any lateral service connection whatever with any sanitary sewer main unless;

a) an application, in the prescribed form, with the required permit fee, is submitted to the Municipality, and

b) a permit has been issued for the connection by the Foreperson

3.5 Connections to new and/or existing sanitary sewer mains shall be completed within one (1) year of the issuance of the permit to connect.

REQUIREMENT TO MAINTAIN

3.6 After construction and installation of the lateral service, the owner shall be responsible for the satisfactory operation, cleaning, repairing, replacement and maintenance of the lateral service.

LIMIT OF ONE LATERAL PER PREMISE

3.7 No premise(s) and/or registered lot shall be provided with more than one lateral service connection without the prior approval of the Municipality.

PROHIBITION INTO SANITARY SEWER

3.8 No person shall cause or permit the discharge of any storm water into the sewage works.

3.9 No person shall cause or permit the discharge of any hazardous waste into the sewage works.

PROHIBITION INTO STORM DRAIN

3.10 No person shall cause or permit the discharge of sanitary sewage into a storm drain.

3.11 No person shall cause or permit the discharge of any hazardous waste into a storm drain.

BACKFLOW VALVE REQUIRED

3.12 Owners shall install a backflow valve in a lateral service. The Municipality shall not be liable for the backflow of any sewage into a building.

PROHIBITION OF AUXILIARY WATER SUPPLY

3.13 No person may use an auxiliary water supply which results in an increased sewage flow without written notification to the Foreperson and without the installation of a metering system that is in accordance with the Municipality's standards.

DUTY TO REPAIR

3.14 If any building sewer or any connection to a sewer service connection or sanitary sewer main is made by an owner or his/her authorized representative, contrary to the provisions of this by-law, the owner shall repair such defective work or material within ten (10) days after the receipt of a notice from the Municipality requiring him/her to do so and, if the owner fails to repair such work, the Municipality may repair the work, including the

right to enter upon the lands, and the cost of such repairs shall be added to the tax roll for the property and collected in the same manner as other municipal taxes.

4. PERMIT & INSTALLATION FEES

That,

4.1 All permit and installation fees shall be in accordance with the FEES & SERVICE CHARGES-WATER & SEWER by-law in effect at the time of installation.

5. CERTIFICATION

That,

5.1 In order to safeguard life, health and property, every person, firm or corporation engaged in or working at a business of plumbing, for the purpose of installing lateral services, must submit evidence with an application that he/she is qualified and shall provide proof that he/she is so certified.

5.1 No permit shall be issued without written proof of certification.

5.3 Any certified person, assuming responsible charge and direction of other persons for the installation of lateral services, who employs, whether for gain or otherwise, a non-certified person to install lateral services, has contravened this by-law and the permit issued under section 4.1 shall immediately become null and void, with no refund of the application fee, and no connection of the lateral service shall be made by the Foreperson to a sewer main.

6. CONSTRUCTION AND OPERATIONS FOR SEWERS INSTALLATION REQUIREMENTS

That,

6.1 All connections from the sanitary sewer main to a building shall be made with the following materials and to the following standards:

- a) residential:
 - i) from the sanitary sewer main to the interior face of the outer wall of a building shall be a minimum of 100 mm and no greater than 125 mm PVC (polyvinyl chloride) SDR 28 pipe
- all other classes of buildings:
 - i) from the sanitary sewer main to the building shall be 125 mm PVC (polyvinyl chloride) SDR 28 pipe
- b) SDR 28 Service Connections shall be used with the bell and spigot type.
- c) granular bedding below lateral services shall be 150 mm deep
- d) granular cover material over the lateral service shall be a minimum of 300 mm deep
- e) all connections to be inspected and approved by the Foreperson as being watertight.

PROHIBITION OF PIPE MATERIAL

6.2 Asbestos-cement lateral service pipes in service at the passing of this by-law may remain in use only until the said pipes require replacement, which shall conform to this by-law.

CLEANOUT

6.3 A clean-out shall be installed

- a) as near as practical to the interior face of the outer wall of a building through which the lateral service pipe passes
- b) in another location approved by the Foreperson, if a) above is not practical
- c) at intervals no further than 15 metres apart along the length of a lateral service
- d) at the property line
- e) in another location approved by the Foreperson, if d) above is not practical

DEPTH OF INSTALLATION

6.4 a) The lateral service shall be connected to the building at an elevation below the foundation footings where existing grade will permit. Preferred grade is 2% of fall.

b) No building sewer shall be laid parallel to within three (3) feet of any load bearing wall.

c) The building sewer shall be laid at sufficient depth to afford protection from frost and at uniform grade and in straight alignment, wherever possible.

OPEN TRENCH INSTALLATION

6.5 a) All excavations required for the installation of a building sewer shall be by open trench unless otherwise approved by the Foreperson.

b) All pipe shall be installed according to the Municipality's specifications and no back fill shall be placed until the work has been inspected by the Foreperson.

c) All connections and joints shall be gas tight and water tight joins shall be made with approved joining materials. No other joining materials shall be used without written approval of the Municipality's Foreperson.

d) Only forty-five (45) degree elbows or bends shall be used in the lateral service where an elbow is required and in no event shall a ninety (90) degree angle be permitted.

"Y" or "T" CONNECTION TO SEWER MAIN

6.6 a) All connections of the lateral service into the sanitary sewer main shall be made at the "Y" or "T" connection, if such connection is available at a suitable location.

b) If the sanitary sewer main is 200 mm in diameter or less, and no properly located "Y" or "T" connection is available an approved fitting shall be installed in the sanitary sewer main, at the location specified, by the Foreperson.

45 DEGREE CONNECTIONS TO SEWER MAIN

c) Where the sanitary sewer main is greater than 200 mm in diameter, and no properly located "Y" or "T" connection is available, a neat hole shall be cut into the sanitary sewer main to receive the lateral service connection, with entry in the downstream direction at an angle of about forty-five (45) degrees.

d) A forty-five (45) degree fitting shall be used to make such connection, with the spigot end cut so as not to extend past the inner surface of the sewer main.

e) The point of connection which shall be in a "2 o'clock" position or higher elevation on the sewer main.

f) A smooth, neat joint shall be made, and the connection made secure and water-tight.

g) Special fittings approved by the Foreperson shall be used for the connection.

INSPECTION NOTICE

6.7 a) The owner shall give at least 48 hours notice to the Foreperson when the lateral service is ready for inspection and connection to the sewer main.

b) The connection shall be made by the Foreperson.

SAFETY PRECAUTIONS

6.8 a) All excavations for lateral service installations shall be adequately guarded with barricades and lights so as to protect the public from hazard.

b) Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Foreperson.

7. PENALTIES

That,

7.1 a) Where, in the opinion of the Foreperson, a contravention of any of the provisions of this by-law is found with respect to any lateral service, the Foreperson may shut off the water service, immediately without notice, if, in his/her opinion, the contravention so warrants, and the water service shall not be restored until the fee required by section 4.1 has been paid to the Municipality.

b) Where, in the opinion of the Foreperson, a contravention of any of the provisions of this by-law is found with respect to any lateral service, the Foreperson may shut off the water service, with reasonable notice, if, in his/her opinion, the contravention does not warrant immediate correction, and the water service shall not be restored until the fee required by section 4.1 has been paid to the Municipality.

2. THAT PART II SHALL PROVIDE FOR THE USE OF THE WATER WORKS; PART II - WATER

1. DEFINITIONS

1.1 That, in this Part, the following definitions shall apply:

APPLICATION means the form, prescribed by the Municipality, requesting approval to connect to the waterworks, containing the name of the owner of the property, the present state of construction (if a new or existing building), a plan in duplicate of the lot showing the point on the property line where the connection is to be made, the date for the proposed work to be done, the quantity of water to be used (if applicable) and the name of the contractor undertaking the work.

AUXILIARY WATER SUPPLY means any water supply other than the Municipality's potable water, including but not limited to a private well, sand point or cistern

BUILDING means all or any part of a building, or structure

CURB BOX means the structure or tower, which surrounds or protects the curb stop

CURB STOP means a water valve, which is placed on the property line for the purpose of turning water on or off

DOUBLE CHECK VALVE means a specific valve for potable water backflow prevention.

FOREPERSON means the Foreperson of Waterworks of the Municipality as appointed by the Municipality, or any operator so designated to act in his/her place, who shall work under the direction of, and report to the Works Manager

MAY means permission is granted

MUNICIPALITY means the Corporation of the Municipality of Arran-Elderslie

NOTICE means the Foreperson shall,

(a) by personal service or by registered mail, serve the owners and occupants of the property as shown on the last returned assessment roll of the municipality with a notice of the date upon which the corporation intends to shut off or restrict the supply of water if access to the property is not obtained before that date; and

(b) ensure that a copy of the notice described in clause (a) is securely attached to the property in a conspicuous place.

OPERATOR means an operator of the Waterworks of the Municipality as appointed by the Municipality, who may act in the place of the Foreperson when so designated by the Foreperson or the Works Manager, and who shall report to the Foreperson or the Works Manager, as the case may be

OWNER means the person as shown on the last returned assessment roll of the Municipality, and includes any tenant or occupant of the property

PERMIT means a Water Connection Permit signed by the Foreperson authorizing an owner to install a service pipe

PERSON means and includes any owner, individual, firm, company, association, partnership, society, incorporated company, or group, and wherever the singular is used herein it shall also be construed as including the plural

POTABLE WATER means water that is safe for human consumption

PROPERTY LINE means the outer line of the highway

REASONABLE NOTICE means twenty-four (24) hours

SERVICE PIPE means

a) that pipe laid down from the watermain to the line of the highway by the Municipality, for which the Municipality is responsible for keeping in repair,

b) that pipe laid down from the line of the highway across a vacant space to the interior face of the outer wall of a building, over which the Municipality has control and the cost thereof is charged to the owner of the building

SHALL means mandatory and declares what is to take place

STOPCOCK means the valve on the interior face of the outer wall of a building that controls the flow of potable water into the building

WATERMAIN means the main pipe(s) for the distribution of water to the inhabitants of the Municipality

WATER SERVICE means all of the physical and mechanical equipment and devices to fully and completely service a property with water.

WATERWORKS means the collective works for the production, treatment, storage, supply and distribution of water, or any part of such works, but does not include plumbing to which the *Building Code Act, 1992* applies.

WORKS MANAGER means the person appointed by the Municipality who is in charge of the Works Department under which the Water and Sewer Works operate

2. RESPONSIBILITIES OF THE MUNICIPALITY

2.1 That, except as otherwise expressly provided in this by-law, the Municipality is responsible for:

POWER TO ADMINISTER

a) the administration and enforcement of all the provisions of this by-law, and

b) the construction, maintenance, operation, improvement, and extension of the waterworks systems of the Municipality.

2.2 a) The Foreperson shall inspect the installation of all service pipes.

b) The Foreperson shall perform all connections of service pipes to watermains.

POWER TO ENTER

2.3 The Foreperson may, in the course of performing his/her duties enter, pass upon, through, over and under any property in the Municipality of Arran-Elderslie, in accordance with the Public Utilities Act.

2.4 Except in the case of an emergency, the Foreperson shall give reasonable notice before entering any property in the Municipality.

SHUTTING OFF WATER SUPPLY

2.5 Except in the case of an emergency, the Foreperson may, upon reasonable notice, shut off water for any necessary construction, repair or maintenance and the Municipality shall not be liable for any damages whatsoever caused by the shutting off of water.

2.6 From the date of its passage, the construction, installation, maintenance and operation of the waterworks system shall comply with this by-law.

3. RESPONSIBILITIES OF OWNER

REQUIREMENT TO CONNECT

That,

3.1 Where a watermain exists in a highway or public utility corridor, the owner of any abutting property which contains a building and which, in the opinion of the Foreperson, may be supplied therefrom, shall connect to the said watermain.

PERMIT REQUIRED

3.2 No person shall install a service pipe for connection to any watermain, unless;

- a) an application, in the prescribed form, with the required permit fee, is submitted to the Municipality, and
- b) a permit has been issued for the installation by the Foreperson

3.3 Water service connections to new and/or existing watermains shall be completed within one (1) year of the issuance of the permit to connect.

REQUIREMENT TO MAINTAIN

3.4 After construction and installation of the water service, the owner shall be responsible for the satisfactory operation, cleaning, repairing, replacement and maintenance of the service pipe from the property line to the building.

LIMIT OF ONE WATER SERVICE

3.5 No premise(s) and/or registered lot shall be provided with more than one water service connection without the prior approval of the Municipality.

DUTY TO REPAIR

3.6 If any building water service or any connection to a water main is made by an owner or his/her authorized representative, contrary to the provisions of this by-law, the owner shall repair such defective work or material within ten (10) days after the receipt of a notice from the Municipality requiring him/her to do so and, if the owner fails to repair such work, the Municipality may repair the work, including the right to enter upon the lands, and the cost of such repairs shall be added to the tax roll for the property and collected in the same manner as other municipal taxes.

4. PERMIT & INSTALLATION FEES

That,

4.1 All permit and installation fees shall be in accordance with the FEES & SERVICE CHARGES-WATER & SEWER by-law in effect at the time of installation.

5. CERTIFICATION

That,

5.1 In order to safeguard life, health and property, every person, firm or corporation engaged in or working at a business of plumbing, for the purpose of installing service pipes, must submit evidence with an application that he/she is qualified and shall provide proof that he/she is so certified.

5.2 No permit shall be issued without written proof of certification.

5.3 Any certified person, assuming responsible charge and direction of other persons for the installation of service pipes, who employs, whether for gain or otherwise, a non-certified person to install service pipes, has contravened this by-law and the permit issued under section 4.1 shall immediately become null and void, with no refund of the application fee, and no connection of the service pipe shall be made by the Foreperson to a watermain.

6. CONSTRUCTION AND OPERATIONS FOR WATERMAINS

PROHIBITED OPERATIONS

That,

6.1 No person shall

- a) open or close a curb stop;
- b) obstruct the operation of a curb stop,

and, upon the commission of any of the acts listed above, the Foreperson may cause the supply of water to the property to be discontinued.

NOTICE REQUIRED TO TURN ON/OFF

6.2 Any person requesting that a curb stop be turned "on" or "off" shall give 48 hours notice to the Municipality.

POWER TO DISCONTINUE WATER SUPPLY

6.3 Where an owner fails to maintain the water service according to the current Municipal standards, or there is contravention of any provisions of this by-law, the Municipality may discontinue the supply of water to the property until such time as any maintenance or repairs are undertaken and completed to the satisfaction of the Foreperson.

OFFENCES

6.4 No owner of any building supplied with water from the waterworks shall

a) wilfully hinder or interrupt, or cause or procure to be hindered or interrupted the Municipality, or any of its officers, contractors, agents, servants or workers, in the exercise of any of the power in this by-law;

b) wilfully let off or discharge water so that the water runs waste or useless out of the works, or contrary to the *Water Restrictions Regulation* by-law;

c) improperly waste the water or, without the consent of the Municipality, lend, sell, or dispose of the water, give it away, permit it to be taken or carried away, use or apply it to the use or benefit of another, or to any use and benefit other than the person's own or increase the supply of water agreed for, or contrary to the *Water Restrictions Regulation* by-law;

d) without lawful authority wilfully open or close any hydrant, or obstruct the free access to any hydrant, stopcock, chamber, pipe, or hydrant-chamber, by placing on it any building material, rubbish, or other obstruction, contrary to the *Fire Hydrant Control* by-law;

e) throw or deposit any injurious, noisome or offensive matter into the water or waterworks, or in any way foul the water or commit any wilful damage, or injury to the works, pipes, or water, or encourages the same to be done;

f) wilfully alter any meter placed upon any service pipe or connected therewith, within or outside any building or other place, so as to lessen or alter the amount of water registered;

g) lay or cause to be laid any pipe or main to communicate with any pipe or main of the waterworks, or in any way obtains or uses the water without the consent of the Municipality,

h) connect or cause to be connected to the water service, any auxiliary water supply, contrary to the *Prohibit Connection Non-Municipal Water Sources* by-law;

i) allow any auxiliary water supply connected to the water service to remain so, contrary to the *Prohibit Connection Non-Municipal Water Sources* by-law

and, upon the commission of any of the acts listed above, the Foreperson may cause the supply of water to the property to be discontinued until such time as the act has been corrected

CONNECTION REQUIREMENTS

6.5 No owner shall install, or cause to be installed, any service pipe except in accordance with the following Municipal Standards:

a) the service pipe shall be a minimum of three-quarters of one inch

b) the service pipe may be larger than three-quarters of one inch with the prior approval of the Foreperson

c) a curb stop and curb box shall be installed on the property line

d) granular bedding material below the service pipe shall be 150 mm deep

e) granular cover material over the service pipe shall be a minimum of 300 mm deep

f) a stopcock shall be installed on the service pipe on the interior face of the outer wall of a building

g) a double check valve for backflow prevention shall be installed on the interior side of the stopcock in such a manner as to prevent the backflow of water from the building into the Municipality's waterworks

h) the double check valve shall be kept in proper working order at all times

i) new construction requires a water meter and a dual check valve purchased from the Municipality.

and the Foreperson shall not connect any service pipe to a water main which does not comply with any of the above provisions.

OPEN TRENCH INSTALLATION

6.6 a) All excavations required for the installation of a service pipe shall be by open trench unless otherwise approved by the Foreperson.

b) All pipe shall be installed according to the Municipality's specifications and no back fill shall be placed until the work has been inspected by the Foreperson.

INSPECTION NOTICE

6.7 a) The owner shall give at least 48 hours notice to the Foreperson when the service pipe is ready for inspection and connection to the watermain.

b) The connection shall be made by the Foreperson.

SAFETY PRECAUTIONS

6.8 a) All excavations for service pipe installations shall be adequately guarded with barricades and lights so as to protect the public from hazard.

b) Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Foreperson.

7. PENALTIES

That,

7.1 a) Where, in the opinion of the Foreperson, a contravention of any of the provisions of this by-law is found with respect to any water service, the Foreperson may shut off the water service, immediately without notice, if, in his/her opinion, the contravention so warrants, and the water service shall not be restored until the fee required by section 4.1 has been paid to the Municipality.

b) Where, in the opinion of the Foreperson, a contravention of any of the provisions of this by-law is found with respect to any water service, the Foreperson may shut off the water service, with reasonable notice, if, in his/her opinion, the contravention does not warrant immediate correction, and the water service shall not be restored until the fee required by section 4.1 has been paid to the Municipality.

8. APPOINTMENTS

1. That the Municipality shall appoint a Foreperson and as many Operators as it deems necessary to carry out the provisions of this by-law.

9. EFFECTIVE

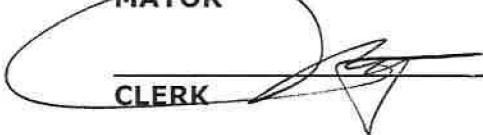
1. And that this by-law shall take effect with final passing."

2. And that this by-law shall take effect with final passing.

Read a first and second time this 8th day of DECEMBER, 2008.

Read a third time and finally passed this 8th day of DECEMBER, 2008.


MAYOR


CLERK